

6/29/99

#21

SUPPLEMENTAL DECLARATION
FOR REISSUE PATENT APPLICATION

As the below-named inventor, I hereby declare that my residence, post office address and citizenship is as stated below, next to my name; that I verily believe that I am the original, and first and sole inventor of the subject matter which is claimed in Letters Patent 5,452,352, and for which a **broadening** reissue patent is sought on the invention entitled AUTOMATIC DIALING SYSTEM, the specification of which was originally filed on March 20, 1990, received U.S. Application Serial Number 07/496,038, now abandoned, was continued in U.S. Application Serial Number 07/928,163 filed on August 13, 1992, which issued as U.S. Patent Number 5,452,352 on September 19, 1995.

I verily believe that U.S. Letter Patent No. 5,452,352 through error and without any deceptive intent, is wholly or partly inoperative by reason of our claiming less than we had a right to claim. In particular, I verily believe that I have a right to claims of broader scope than that which issued in the original patent.

The broadest independent claim in our U.S. Patent No. 5,452,352 is patent claim 17 and the claim fails to provide adequate coverage for our invention since it is unduly limited in comparison to the broader combinations set forth in new claims 21, 26 and 27.

Patent claim 17 recites an electronic credit card sized direct dialing device including a case of a size to fit in a user's wallet, a shift register memory for storing data, a clock for imparting a clock signal to the shift register, and a switch for actuating the clock and shift register to shift data out of the shift register. The device further includes a means for sensing a dial tone and request tones from a telephone, a means for actuating an audio signal corresponding to a charge number upon sensing the dial tone from the telephone, and an

encoder for converting a signal from the shift register to signals to operate a speaker for emitting touch tone frequencies corresponding to a user's account number.

However, I believe that patent claim 17 incorporating these limitations unduly limits the patent and that the patent is therefore inoperative by reason of us claiming less than I had the right to claim in the patent. The insufficiency in patent claim 17 is as follows.

New claims 21 and 26 differ from claim 17 in a number of respects. First, the device has been modified such that it is specifically directed a credit card sized housing insertable into a computer. In addition, the device no longer requires a specific recitation of the shift register memory, the clock and the switch. New claims 22-25 depend from claim 21. New claim 27 is a method claim which recites the steps similar to the features recited in claim 26 with new claims 28-31 dependent therefrom.

I verily believe that the unwarranted limited scope of our original patent claims is an error that arose without any deceptive intent during prosecution of the original patent.

Every error in the patent which was corrected in the present reissue application, and is not covered by a prior oath/declaration submitted in this application, arose without any deceptive intention on the part of the applicant

I verily believe that this reissue application, as amended, overcomes the defect in the original patent by adding broader claims than those included in the original patent.

I acknowledge the duty to disclose information of which I am aware that is material to the examination of this reissue application in accordance with Title 37, Code of Federal Regulations, §1.56.

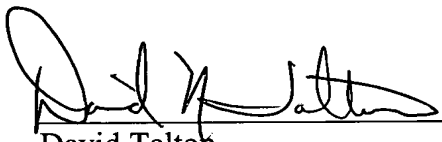
I hereby state that I have reviewed and understand the contents of this Supplemental Declaration and the above-identified specification including the claims.

I hereby appoint KENYON & KENYON and William K. Wells, Jr. (Reg. No. 27,042), John C. Altmiller (Reg. No. 25,951), Frank V. Pietrantonio (Reg. No. 32,289), Robert Hails (Reg. No. 39,702), John Kacvinsky (Reg. No. 40,040), Gary Morris (Reg. No. 40,735), Brian Mudge (Reg. No. 40,738), and Chris Hutter (Reg. No. 41,087) as attorneys with full power of substitution and revocation to prosecute this application, to transact all business in the U.S. Patent & Trademark Office in connection therewith and to receive all correspondence.

SEND ALL CORRESPONDENCE TO:
KENYON & KENYON
William K. Wells, Jr.
1500 K Street, Suite 700
Washington, D.C. 20005

DIRECT ALL TELEPHONE CALLS TO:
William K. Wells, Jr.
202-220-4200 (voice)
202-220-4201 (facsimile)

I hereby declare that all statements made herein on my own knowledge are true and that all statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful statements may jeopardize the validity of the application or any patent issued thereon.


David Talton
9819 Courthouse Road
Vienna, Virginia 22180
Citizenship: U.S.A.

Date: 6/29/99

my commission expires 5-31-00
Fairfax County
Virginia
3 1-6-99
